

GOVERNMENT OF ANDHRA PRADESH  
A B S T R A C T

Public Services-I & CAD Department - Disciplinary action initiated against Sri M. Yakaiah, Assistant Engineer, under rule 20 of APCS (CC & A) Rules, 1991 in connection with payment of compensation for acquisition of lands for construction of silt arresting tanks across local stream on foreshore areas of SRSP Adilabad district-Imposing a penalty of one increment without cumulative effect against Sri M. Yakaiah, AE – orders issued.

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IRRIGATION & CAD (SER.X.1) DEPARTMENT

G.O.Rt.No. 724

Dt:15.07.2011.

Read the following:

1. From the APHC Judgment Order dt. 29.11.2000 in WP.No. 2879/2000.
2. From the Chief Commissioner of Land Administration, AP Hyderabad  
Lr. No. CCLA's ref. No. VSIII (1)382/ 2002, dt. 5.6.2004
3. From the SE, IC,Nirmal, Lr.No.AB/A1/788/CE, dt.05.11.04.
4. G.O.Rt.No.1902, I & CAD(Ser.X.1)Deptt., dt. 27.12.2005
5. WSSD submitted by Sri M. Yakaiah, AE
6. G.O.Rt.No .642 , I & CAD(Ser.X.2) Dept., dt. 19.05.2008.
7. Govt.Memo.No.11083/Ser.X.1/2005-7, dt. 19.5.2008
8. From the ENC (AW) Lr.No.Rc/ENC/S.II(1)/41001/06, dt. 19.08.08.
9. G.O.Rt.No. 1539, I & CAD (Ser.X.1) Dept., dt. 2.12.2008.
10. From the Inquiry Officer D.O.Lr.No.2161/COI-SB/08, dt.27.06.2009.
11. Govt. Memo.No.11083/Ser.X.1/2005-14, dt. 17.01.2011.
12. Explanation of Sri M. Yakaiah, AE, dt. 9.5.2011.

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**ORDER:**

In the reference 2<sup>nd</sup> read above, it was brought to the notice of the Govt. that Sri Pothanna , Agriculturist and 11 other have approached to the Hon'ble High Court and filed W.P.No. 2879/2000, for payment of compensation for acquisition of lands for Formation of silt arresting Tank across local stream at Ruvi village, Mudhole mandal, Adilabad district. The Hon'ble High Court while disposing the W.P. has observed that it is the duty of the state to activate disciplinary procedure and initiate action against its erring officers.

In the reference 3<sup>rd</sup> read above , the Superintending Engineer, IC., Nirmal, has reported that the following officials were in charge of the work formation of Silt Arresting Tank Ruvi (V) Mudhole(M) Adilabad District :

1. Sri G.Damodar Reddy, EE (Retd)
2. Sri Laxmi Narsaiah, DEE ( Retd)
3. Sri M.Yakaiah, AE

Govt. after examining the report of the Superintending Engineer, IC., Nirmal, it was observed that the misconduct in respect of advance possession of land had occurred on 1-4-1998 i.e., more than 7 years, hence, it may not be possible to initiate disciplinary action against the retired officers under Rule -9 of APRP Rules, 1980. Therefore, disciplinary action was initiated against the serving officer Sri M.Yakaiah, Assistant Engineer.

And whereas, in the reference 4<sup>th</sup> read above, Articles of Charges were issued against Sri M. Yakaiah, Assistant Engineer, IB Division, Nirmal for the alleged misconduct of taking advance possession of Land for the work of "Formation of silt arresting Tank across local stream at Ruvi village, Mudhole mandal, Adilabad district. In the reference 5<sup>th</sup> read above the charged officer has submitted his W.S.S.D.

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After examination of the WSSD submitted by the charged officer Sri M. Yakaiah, Assistant Engineer, it was decided to entrust the case to COI for conduct regular inquiry and issued orders accordingly. The inquiring Authority has submitted inquiry report vide reference 10<sup>th</sup> read above.

Government after careful examination of the inquiry report, it was decided to disagree with the findings of the inquiry Authority, and communicated the same to charged officer along with the inquiry report, with a direction to submit his explanation if any within 15 days. In the reference 12<sup>th</sup> read above, the charged officer has submitted his explanation and requested to consider the findings of the inquiring Authority and drop the charges framed against him.

Government after careful examination of the matter, have decided and hereby order to impose a penalty of cut in one increment without cumulative effect on Sri M. Yakaiah, Assistant Engineer, IB Division, Nirmal, for the misconduct in respect of taking advance possession of the lands for formation of silt arresting Tank across local stream at Ruvi village, Mudhole mandal, Adilabad district, without prior permission of the competent authority.

The Engineer-In-Chief (Admn.Wing) shall take necessary action accordingly.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

SHAILENDRA KUMAR JOSHI  
PRINCIPAL SECRETARY TO GOVERNMENT

To  
The Engineer-in-Chief (Admn.Wing),  
I & C.A.D. Department, Hyderabad  
The individual **through**  
the Engineer-in-Chief (Admn.Wing),  
I&CAD department, Hyderabad.

Copy to:  
The Special Chief Secretary and  
CCLA, A.P. Hyderabad w.r.t. CCLA's  
ref. No.VSIII (1)546/2006, dt. 4.9.2008.  
The Secretary to V.C, APVC Hyderabad  
SC/SF.

//FORWARDED: : BY ORDER//

SECTION OFFICER